

WHY LAWYERS ARE UNPOPULAR

JAMES M. BECK EXPLAINS AND DEFENDS THE PROFESSION.

distrust of them caused chiefly by fiction—blamed for things for which they're not responsible—Mars Law Wouldn't Hurt Roosevelt—Why Gompers's Hostile

James M. Beck, former Assistant Attorney-General of the United States, delivered an address to the graduating class of the Columbia University Law School yesterday afternoon in Earl Hall on "The Lawyer and Society."

Mr. Beck, after discussing the conspicuous and useful service which the legal profession rendered society, referred to the persistent prejudice against the legal profession, and which had existed for many generations, and which had been recently expressed in public utterances both of President Roosevelt and William J. Bryan. He said in part:

"A century ago, when Napoleon was apparently planning an invasion of England, all classes and professions of Englishmen sprang to arms, and among others the lawyers of the Temple organized a regiment. The King desired to review this regiment. At the conclusion of the review his Majesty sent for Erskine, his honorary Colonel, and asked him what he called his regiment, and Erskine replied that it was yet had no name, which his Majesty replied, 'Call it the Devil's Own.'"

Heine tells us in the humorous poem that when he met the Devil he found him exceedingly well versed in law. An anonymous poet tells us that the Devil visited a court of law and sadly departed, saying: "The law has puzzled the court with their villainous cavil."

And I'm free to confess it, they've puzzled the Devil. Men were right to let lawyers alone. If had them they'd bewilder me out of my throne.

In modern political discussions frequent reference has been made by responsible leaders of thought to the supposed low tone of the bar. It has been said that President Roosevelt has referred slightly to "law honesty." It is to be regretted that Mr. Roosevelt did not carry out his original intention of studying law with Joseph H. Choate. Had he sat, as usual, at the feet of the great Gamaliel of the law, he would have had a better opinion of law and lawyers and would doubtless have become a more effective and vigorous advocate. Moreover, I am tempted to add, a wider knowledge of the law would have lessened the value of his public services.

His political rival, Mr. Bryan, was even more emphatic in a recent address. He hoped that the day would come "when we will have so many lawyers that we will be able to make grand larceny possible. Perhaps some time it will be less disgraceful for a lawyer to assist in gigantic robbery than for a highwayman to go out and hold up the wayfarer."

Prejudice which has persisted for so many generations and which is so deeply rooted in popular feeling must have its original basis in some primitive trait of human nature. I find it in the elemental jealousy of the lawyer, who has always felt toward him, such jealousy is not confined merely to the manual toiler, but the man who by the use of capital makes money breed itself in a lesser degree shares the prejudice against the lawyer, who without either the use of his muscles or the employment of capital makes considerable gain.

This feeling of jealous admiration is probably intensified by the fact that with the growing power of law in the evolution of society the mass of men, who are too often hostile to its restraints, dislike the lawyer because he preeminently stands for the enforcement of law and the consequent limitation of license. It is this consideration which doubtless led Jack London, as he summoned his riotous followers to revolt, to utter:

"Let us kill all the lawyers first." This worthy denunciation was philosophically correct, for if it is desired to destroy the fabric of human society the natural beginning would be to kill the lawyer, who stands as a vigilant guard at its outer portals. There are and ever have been the men of the law. A recent illustration of this spirit of Jack London is given by the recent public statement of Samuel Gompers that the inherent vice of the Supreme Court is that it is composed of lawyers and that lawyers are too much swayed by prior decisions and by too great a regard for "vested interests."

The occasion for this indictment was a decision of the Supreme Court, which sustained the right of every man to employ his capital and sell the product of his hands as he thought best without first obtaining the permission of the great labor organization of which Samuel Gompers is the chief executive. Thwarted by the silent but most potent mandate of the law in his attempt to establish a labor oligarchy Mr. Gompers illustrates the intolerance of legal restraint of which I speak by his vigorous denunciation of courts and lawyers.

Another reason for this popular prejudice is the widespread and erroneous belief in the insincerity of the lawyer. No question is more constantly asked of a lawyer than his ethical justification for defending a man whom he knows to be guilty.

To discuss this mooted question adequately would take more time than is at my command. It is enough to say that the question rarely arises in the mind of the lawyer, who is an ordinary practitioner, and the reason for this is obvious. The great bulk of a lawyer's practice does not relate to litigated cases, as to which he is obliged to take a public position, but to explaining to his clients what they may lawfully do and how they may do it. It is essentially applied morality the lawyer is enforcing its principles without litigation does more to promote justice between man and man than any other profession.

Again, the lawyer is held responsible for all the defects of the law, for most of which he is not responsible. The law is and must necessarily be a reflex of contemporary society. It is no better and it is no worse.

I am persuaded, however, that the chief reason for the unpopularity of the lawyer is due to the fact that men get their impressions of law and of the lawyer through the medium of fiction and not from any personal observation, and it has always been the tendency of the poet, the novelist or the dramatist to select unfavorable and exaggerated types to give dramatic intensity to their productions. A honorable lawyer is too prosaic for literary portraiture.

Let me simply say after being at the bar for nearly a quarter of a century and after mingling not only with lawyers but with the classes of men in various parts of this country that in my judgment no class of men has any higher sense of honor than the legal profession.

One further and most potent reason for the unpopularity of the lawyer remains to be considered. He is the great conservative force in a nation and is constantly called upon to defend the individual against the tyranny of the majority. He must frequently defy and defeat public opinion by protecting the individual from its unreasonable demands. The lawyer must often stand between a reckless public opinion and its victim. In defending the rights of the individual he must often contravene the interests of the many. This is peculiarly true of our country and of the present time, for with popular passion lashed into a fury by frenzied agitators and with great constitutional limitations standing in the only barriers to popular aggression is the lawyer, who is called upon to defend the public will by invoking the sacred guarantees of the Constitution.

Van Bardenheim Out of Bankruptcy.

Judge Hough in the United States District Court yesterday entered a decree of bankruptcy to Baron Fritz von Bardenheim, the recently divorced husband of Fritz Schott, the actress. He was an importer of peacock and pheasant colors at 29 West Third street when a petition in bankruptcy was filed against him by creditors on August 18 last. His liabilities were \$4,500 and his nominal assets \$45,728.

FOLK DANCES IN THE PARK.

Girls of the Public Schools Athletic League Perform on Real Grass.

The happiest person at the festival of folk dances and games which was held yesterday afternoon in Central Park under the auspices of the Girls' Branch of the Public Schools Athletic League, was Michael Levin of the Borough of Brooklyn.

Fifty schools each sent a delegation of forty maidens, who skipped and hopped and kicked and prouetted for two halcyon hours on the green west of the Mall. A dozen boys "minded" the coats and hats of one delegation, but their humble requests to be allowed to join in the dance were treated with scornful contempt.

"You see," explained one of the teachers, "there is hugging in ever and over so many of these dances, and, of course, the girls are not willing to have the boys for partners."

As the sun began to creep toward the Western horizon, however, Florence Tyson, aged 7, turned her eyes in the direction of Michael Levin's brown eyes and saw that they were big and wistful. She took in likewise the spickiness and sappiness of Michael's white suit and the curls that bobbed up and down on his forehead, and her heart melted.

"Teacher!" she said, pointing an indulgent forefinger at the small sturdy figure standing in motion on the green west of the Mall, "I don't mind if he comes in the Ozarkans."

So Michael and flaxen haired Florence floated through the mazes of the most complicated of the folk dances hand in hand, but in the very last figure of all she told him, with the least bit of warning, to circumlocution or preparation of any kind, that he couldn't be in at the finish, because that was a hug, and he was nothing but a boy.

"Well, yer don't 'pose I'd do such a fool thing any way," retorted Michael, putting his hands behind his back, and backing away.

Owing to the fact that the P. S. A. L. had never before tested their torchbearers powers on real grass, and also to a lack of practice in team work on a large scale, the groups presented a somewhat heterogeneous appearance, but the performers as individuals drew forth round after round of enthusiastic applause from the crowd.

Among the most interested of the lookers on was Mrs. Russell Sage, who drove up about 5 o'clock in her motor car. Others present were Miss Catherine Leverich, president of the league, and Miss Patricia Herbert Parsons, Mrs. Egerton L. Winthrop and Dr. Gulick.

TWIN'S TRIBUTE TO VICTORIA

Pronounced at Dinner of British Schools and Universities Club.

A hundred and fifty sturdy Englishmen hip-hipped the toast to King Edward and hyar-hyared Mark Twain's address at the dinner of the British Schools and Universities Club at Delmonico's last night. The occasion was the birthday anniversary of Queen Victoria, which has been celebrated since her death as Empire Day.

Mark Twain, who rang in on the strength of his Oxonian L. D., conferred last year, spoke on "Queen Victoria, an American Tribute." After telling the story of his duel in Nevada and giving several other reminiscences which he had turned previously into good copy, Mark Twain pronounced his American eulogy on the Queen.

He called her a noble lady whose life was connected to the virtues and humanities, and to the promotion of lofty ideals. "A model upon which many a humbler life was formed and made beautiful while she lived and upon which such lives will still be formed in the generations that are to come—a life which finds its just image in the star which falls out of its place in the sky and out of existence, but whose light still streams with unfaded lustre across the abysses of space long after its fires have been extinguished at their source."

Other speakers introduced by President Walter Eyrre Lambert, who was toastmaster, were the British Consul-General, Walter Courtney-Baker, the Rev. Dr. D. Parker Morgan, first president of the club, and Robert P. Porter of the London Times. A cable despatch, sent by King Edward through his secretary, Lord Knollys, was read.

Among those present were L. B. Sanderson, the Hon. Reginald Walsh, the Hon. Ralph Stuart Worley, George L. Hives, E. Lambie-Owen, Charles W. Boring, F. Darrell, J. E. Grote Higgins, T. E. Johns, A. S. Murray, George Massey, John Ford, E. A. Thurston and the Rev. Dr. Francis L. Patton, ex-president of Princeton University.

ELKS TO BURY PETER F. DAILEY.

Fraternity Men and Actors Meet the Body on Its Arrival From Chicago.

The body of Peter F. Dailey, the comedian who died in Chicago on Saturday, reached the Grand Central station yesterday morning in charge of his brother, Robert Dailey. More than a hundred actors and theatrical men met the body and stood in two lines with bowed, uncovered heads as it was brought to the Elks' hall.

George Considine placed a wreath on the casket. George Monroe, president of the White Rats, Mrs. Billy West, members of the Elks Club and other theatrical organizations accompanied the body to the clubhouse of the Brooklyn Lodge B. P. O. Elks at 123 Schermerhorn street. The body was laid in the lodge room, which was adorned with evergreens and floral tributes.

The fraternal services will be held at 11 A. M. to-morrow, Edward J. Edwards, the exalted ruler, and ex-Sheriff William J. Butting, past exalted ruler, officiating. The burial will be in Greenwood Cemetery.

MINING SHOW POSTPONED

Because Five Carloads of Exhibits Got to Galveston Instead of New York.

The folks who went to Madison Square Garden last night to attend the opening of the International Mining Exposition found the place dark and a notice posted stating that the show would not open until Friday night. The show has been engineered by the International Mining Exposition Company, of which William Porter is the managing director.

Mr. Porter said that the reason it had been decided to postpone the opening of the show was because five cars containing the Nevada State exhibit, which was to take up a large part of the space, had turned up in Galveston instead of at New York. Samuel P. Davis, who was appointed by the governor of Nevada to take charge of the exhibit, did not discover this until he arrived here the day before yesterday.

The show was to have opened last night with a rock drilling contest between miners. Mr. Porter said that the show would certainly open on Friday night.

CATSKILL MOUNTAINS

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MAN'S THE STUDY AT BARNARD

AT LEAST THE SENIORS VOTE HIM THEIR FAVORITE

And Three of Them Have Secured a Specimen Each for Private Possession—Some Poets of Interest About the Girl Graduates Disclosed at the Class Day.

The Barnard seniors at their class exercises yesterday afternoon announced bravely that man was the favorite study of most of the class members, and they proved their proficiency by announcing three positive engagements and several "suspects."

At the same time they are very particular, these Barnard students, for one girl was reproved because she was known "to make eyes at an old lobster."

Further they do not approve of frivolity, for Eleanor O'Gorman, Cornelia Flack and Alma Ashe, the society girls of the class, each received a gaudy butterfly. Irma Alexander, who has been defeated five times for the class presidency, got a portrait of one William Jennings Bryan. The class grinds, six in number, each received a doctor's hood from a girl who convulsed the audience with her impersonation of President Butler's dignity on similar occasions.

The class statistics showed that Mary Maxon is the best all around girl. Agnes Miller the noisiest and boldest and Eleanor O'Gorman, the class president, the biggest bluffer. The biggest flirt is Agnes Casey. It was asserted that Cornelia Flack, the nearest girl, was the only senior who had never worn the all concealing college gown from necessity. The statistician added that the seniors had acquired a belief that clothes go a great way, since Olive Roe, the best dressed girl, was the first in the class to get engaged.

The biggest suffragette is Eleanor Hunsdon, the most sensible and level-headed. Gertrude Stein is the biggest kisser. The best loved and most popular all around favorite is Marguerite Newland, the undergraduate president.

In the classes of '06 and '11 the popularity contest was won by Eleanor O'Gorman, the daughters of William Gay. Both sisters have been presidents of their classes in the last year, and for the coming semester Eleanor Gay has been elected president of the Undergraduate Association.

Among the faculty Prof. Beard of the English department was voted the best. Prof. Shepard and Prof. Richards were voted the handsomest and Algernon Tassin, of whom it was announced that he owned 267 ties, 43 stickpins, 77 canes and one glove, was dubbed the faculty dude.

In the class with a book of new jokes was left to Dr. Lord, some good cigarettes (accident on the good) to Dr. Richards and Mr. Tassin the right to subscribe for any fashion paper he might prefer. To the undergraduate study the seniors gave a beautiful bouquet.

The announcement which got the most applause was the bestowal of an O. K. degree on Miss Agnes Updyke, who has just resigned as secretary of the college. Those elected to Phi Beta Kappa were Clara Cecilia Deacon, Dorothea Eltner, Ethel Everett, Helen Loeb Kaufmann, Evelyn McDonald, Mabel Louise Peterson, Edith C. Richardson and Florence M. Wolf.

The class day orators were: Salutatory, Ellen O'Gorman, statistician, Marguerite Yates, gift to college, Hilda J. Jelliff; class will, Adelaide Requa; presentation orator, Florence Wolf, and valedictorian, Marguerite Newland.

COLUMBIA'S CLASS DAY.

Among Other Things the Seniors Vote "The Sun" Their Favorite Newspaper.

More than two thousand persons were present at the class day exercises of the senior class of Columbia College in the university gymnasium yesterday afternoon. Class songs, addresses by representative members of the class and the planting of the class ivy made up a long programme, which ended with the class dances in the gymnasium last night.

The seniors assembled on the steps of Earl Hall early in the afternoon and after taking a puff on the "parting pipe" proceeded slowly to the gymnasium under the leadership of Harold Fowler, the class president. For the first time in five years the entire senior class of Barnard College was present in a body at the Columbia festivities. After the reading of the class roll by Kitchell M. Boorman John N. Wheeler gave a history, mingled with lurid accounts of the prestige of the class and its vital statistics with a sprinkling of undergraduate humor.

Harold Fowler was the most popular and best all around man in the class, although Foster Ware earned the coveted distinction of "having done the most for Columbia." Austin P. Montgomery, manager of the track team, came first in the race for the best natured. The bow oar on the varsity eight, Harry Mansfield Snevily, was selected the best athlete, and George Bull, another athlete, was reported as being both the best and the ugliest social light. Tom MacKenzie Alexander won the distinction of being the most popular with the girls, and Latham Reed was considered the best dressed man in the class.

Football was voted the favorite sport, and there was a howl of applause when this was announced. President Butler was present, but he seemed to pay no attention to the demonstration.

The Sun was voted the favorite newspaper. Twenty meant to make law of their profession, while seventeen will enter business and fourteen will teach, with the remainder scattered through a long list of occupations. Sixty-six per cent. of the class have taken the advice of the statistician and smoke, and 59 per cent. admit that their tastes run for something stronger than lemonade. Prof. Charles A. Beard was the most popular member of the faculty. In the same breath Herbert G. Lord was said to be the pleasantest professor, easiest to bluff and the best teacher, a combination greatly valued in utility.

John Odell Hauser read the class poem, and Dean Van Amringe announced the awarding of the alumni prize for the most deserving and most faithful student to Frederick Hamilton Rindge, Jr., of this city. The following elections: George Jardine Bagley, Fremont A. Higgins, John L. Rogers, Frederick H. Rindge, Jr. Louis J. San, Joseph Steiner and Ira Skutch.

The class prophecy was read by John J. Donohue, while the task of awarding compliments and lemons devolved on George W. Jacques, Frederick H. Rindge, Jr. delivered the valedictory, which was a pilgrimage was made late in the afternoon from the gymnasium to the court south of Hamilton Hall, where the class ivy was planted and the oration delivered by William J. MacGregory. A tea in honor of the seniors given by the wives of the professors in Earl Hall wound up the afternoon's entertainment.

Pearce-Inman.

Miss Lucy Inman, daughter of the late John H. Inman, and Arthur W. Pearce were married yesterday afternoon at the home of the bride's brother-in-law and sister, Mr. and Mrs. Clifford Brooks, 325 Fifth avenue. The Rev. Edwin F. Hallenbeck, assistant pastor of the Fifth Avenue Presbyterian Church, performed the ceremony at 4 o'clock. The bride wore a costume of white lace and carried a bouquet of white orchids with lilies of the valley. There were bridesmaids of Misses Albert, Frances, Cecilia and Beatrice. The bridegroom was assisted by the relative of the bride, Mr. and Mrs. Pearce will live in this city.

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NEGRO MELODY FOR PARISIANS.

Kitty Cheatham Gives a Song Matinee and Wins Cordial Applause.

Special Cable Dispatch to THE SUN.

PARIS, May 25.—Miss Kitty Cheatham, the American singer, gave a highly successful matinee to-day at the Salle Femina, where she introduced genuine negro melodies to a fashionable Parisian audience. The house was crowded, and her hearers were charmed by her renditions.

Hitherto Parisians have been more conversant with the ragtime species of entertainment, an illustrative of the negro songs of the Southern United States.

"THE REVOLT" ON 3D STREET.

Budding Socialists See Adam's Play in English.

Poor Villiers de l'Isle Adam, friend of Wagner and Baudelaire, suffered much during his wild, disorganized life and died in want, of a cancer. But he was spared the sight of his play "The Revolt," as performed in English by Julius Hopp's players at the "Socialist Theatre" in East Third street. Adequately performed in English, "The Revolt" would surprise some people, not because it is of much value as drama, for when all is said and done (or rather when all is said—nothing is done) but because of its uncanny foreshadowing of Ibsen's "A Doll's House." But as performed by Julius Hopp's players it is not likely to surprise anybody.

Last night the funny little theatre east of the Bowery where Nasimova once held forth contained maybe two score people, mostly children. Fifty per cent. of the receipts were announced to go toward founding a socialist daily paper, "The Call." The call is not in any immediate danger of being heard unless the audiences improve. There is little hope that the actors will improve. Fortunately only the man and one woman are needed to play "The Revolt." There were no programmes, so their names can remain in a merciful obscurity.

Yet, even so played, the drama strangely piqued the interest. It has little skill of movement. The revolting wife returns after four hours, afraid of the dark (A boy in the audience indignantly whistled the refrain of a popular song). The end is lame, illogical. Much of the talk is "book talk"; it does not ring true to the place in the sky and out of existence, but fuse to hear with attention: there is Candide's "shawl speech" in it, and many of the ideas of "A Doll's House." And the necessary space in the galleries of the museum for an exhibition of 1908-09.

Acting upon this mandate, I have the honor to add the following remarks:

1. The exhibition will comprise pictures and sculptural works in bronze and marble.

2. The number of pictures to be exhibited will be not less than 125 and not more than 150.

3. The bronzes and marbles will be used principally for decorative purposes, according to the space which can be appropriated.

4. The objects to be exhibited will be collected through the influence of a committee to be appointed and to act under the general supervision of the art director of the Imperial German Government, with the distinct purpose of securing for the collection only those paintings and sculptural works that may be approved by the highest art authorities in Germany as being truly representative of the best work of the art of the present day.

5. The expense of gathering, packing, forwarding, returning, insuring, delivering within the grounds of the museum such an important collection will be borne by some of the friends of German art who, with the approval of your honorable board, will also bear any expense incidental to the hanging and taking care of the collection.

6. It is perfectly understood and guaranteed by my Government that there shall be no features in the exhibition which would be objectionable to your board and which would not be in perfect harmony with the high principles that would have to govern an exhibition under the auspices of your noble institution. Especially any feature which might lead to the suspicion that the exhibition was meant for commercial purposes whatsoever will be entirely and most conscientiously eliminated.

A FIRST NIGHT ON 7TH AV.

Miss Grace Merritt Revives "When Knighthood Was in Flower" in Carnegie Lyceum.

Miss Grace Merritt and her company opened at the Carnegie Lyceum last night with a revival of the old romance "When Knighthood Was in Flower." The doublet and hose and six foot sword of yesterday appeared to fit the limited scenic effects of the theatre as aptly as they used to ten years ago in Broadway houses.

Miss Merritt made a very lively and virile, albeit somewhat hysterical, Mary Tudor. Her swear words had more of the tang of the dancing pavilion at Happyland, however, than what we hope in our romantic visions the court of Windsor was in the days of King Hal.

The support was uneven. Also the waits between the five acts, which were filled with impromptu concerts by a good orchestra under Theodor Gorchow.

Southern at the Academy.

E. H. Southern began the second week of his spring engagement at the Academy of Music last night, playing "If I Were King," which will remain the bill this week. Next week—his last—Mr. Southern will play Hamlet, as well as Villon and Danderey. The sale for the "Hamlet" performances has been heavier than for either of the others—which shows where Shakespeare does not spell ruin.

The Seagoers.

Among those who will sail to-day on the steamship Kaiser Wilhelm II. for Bremen will be:

Mr. and Mrs. Jacob von der Au, Gordon Chambers, George W. Chambers, Mr. and Mrs. William Decker, Mr. and Mrs. Sigmund Fleischmann, Mr. and Mrs. Albert Hatch, Prof. Prosper Libert, Henry W. Schroeder and Charles B. Page.

Among those who arrived yesterday on the steamship Nieuw Amsterdam from Rotterdam were:

H. L. Boiessevain, W. H. Day, E. Fleming Baxter, Baron J. C. Van Haerle, N. M. Marsch, the Johnson, Lyman Tiffany and A. P. Williams.

Among those on the steamship Comoro from Porto Rico were:

James H. Anson, Protestant Episcopal Bishop of Porto Rico, Judge Baskan, H. M. Chandler, Charles J. McCormick and Robert H. Todd.

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In the June issue of

PUTNAM'S AND THE READER

Offer Comes From the German Government Through Consul-General Buens—All Expenses to Be Met—To Be About 150 Pictures, With Incidental Statuary.

Robert W. de Forest announced yesterday that early in the coming winter there will be held in the Metropolitan Museum of Art an exhibition of modern German art sent to this country by the German Government. This exhibition will be made possible by the completion of the new wing to the museum.

The proposal for such a display was made in 1905 through Karl Buens, German Consul-General in New York, but the trustees of the museum were compelled to decline because of lack of space. Mr. Buens renewed the offer on May 12 and it was accepted unanimously by the trustees.

The objects to be exhibited, consisting of paintings and sculptural works in bronze and marble, will be collected by a committee to be appointed and to act under the general supervision of the Art Director of the German Government, William Bode. In his letter Mr. Buens said:

In December, 1905, Edward D. Adams addressed a letter to your president, John Pierpont Morgan, in which he said among other things that he had been authorized to state that should the Metropolitan Museum of Art desire and be willing to appropriate the necessary space a representative collection of modern German art could be obtained for exhibition in the museum in the autumn of 1907. I understand that Mr. Adams's letter was laid before the executive board of the museum by its president and that the board expressed its sympathy with the proposition but regretted the lack of the time of suitable space in the galleries of the museum for such exhibition.

The objection being now, as I understand, about to be removed by the new addition to the galleries, I beg to state that as the representative of the German Government in this city I have been recently authorized by my Government, with the special sanction of his Majesty the Emperor, to bring the subject officially to the attention of your honorable board by asking you to kindly appropriate the necessary space in the galleries of the museum for an exhibition of 1908-09.

Acting upon this mandate, I have the honor to add the following remarks:

1. The exhibition will comprise pictures and sculptural works in bronze and marble.

2. The number of pictures to be exhibited will be not less than 125 and not more than 150.

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